

**THIS NOTICE HAS BEEN AUTHORIZED BY THE UNITED STATES DISTRICT  
COURT FOR THE SOUTHERN DISTRICT OF NEW YORK**

**THIS IS NOT AN ATTORNEY SOLICITATION**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

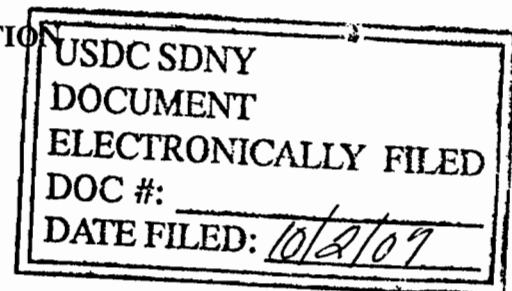
CHARLES RICHARDS and JAY  
GEYWITS, individually and on behalf of  
all others similarly situated as class  
representatives,

Plaintiffs,

v.

LANG INDUSTRIES, INC., WORLD  
CLASS ON SITE MANAGEMENT, LLC.,  
and LANG WASTE SERVICES CORP.,

Defendants.



**Case No: 07-CV-03350 (SAS)(DCF)**

**FLSA COLLECTIVE ACTION**

**NOTICE OF LAWSUIT WITH OPPORTUNITY TO JOIN**

**TO:** All current and former Service Technicians, Plumbers, Drivers and/or similarly situated workers who were required to travel in trucks and vehicles to service the plumbing and septic needs of Defendants' customers at client locations, employed by the Defendants, Lang Industries, Inc., World Class On Site Management, LLC, and Lang Waste Services Corp. ("Defendants") at any time between April 26, 2004 and the present. This is the "similarly situated" class.

**INTRODUCTION**

The purpose of this legal notice is to inform you that a "class action" lawsuit has been filed against LANG INDUSTRIES INC., WORLD CLASS ON SITE MANAGEMENT, LLC. and LANG WASTE SERVICES CORP., for unpaid overtime wages, regular hourly wages for work performed during lunch break, and/or certain unpaid travel time. You may be a class member if you worked for any of the Defendants at any time between April 26, 2004 and the present.

This notice will advise you of how your rights may be affected by this lawsuit, and will instruct you on your options for participating or not participating in this lawsuit if you so desire.

This notice has been judicially approved. The Court, however, has not made any rulings or determinations of any kind on whether the Plaintiffs or Defendants are right. Nothing in this Notice should be understood as a statement about who the Court believes is right or may be right.

#### DESCRIPTION OF LAWSUIT

A lawsuit was filed on April 26, 2007 in the United States District Court for the Southern District of New York, by Charles Richards and Jay Geywits, former employees of the Defendants. In this suit, Plaintiffs claim that pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* ("FLSA") and under New York's overtime statute and regulations, Defendants' violated their statutory obligations to pay overtime wages, regular hourly wages for work performed during lunch break, and/or certain unpaid travel time. Plaintiffs seek payment of unpaid overtime compensation for actual hours worked in excess of forty (40) hours per week, plus liquidated damages, and an award of reasonable attorneys' fees, costs and expenses, and such other relief as this Court may deem proper.

The Plaintiffs bring these claims as a "class action," which means that they have brought them for themselves and those who were "similarly situated" to them in terms of these claims.

Workers who are "similarly situated" worked at the Defendants' facilities as "Service Technicians," "Plumbers," "Drivers," and/or other similarly situated employees who were required to travel from Defendants' Narrowsburg headquarters or principal place of business to service the plumbing and septic needs of Defendants' customers at the clients work site. Workers who are "similarly situated" are alleged to have not been paid wages for certain activities, including but not limited to, certain travel time, and overtime wages in excess of 40 hours per week.

Defendants claim, among other things, that they complied in full with all applicable laws and deny any wrongdoing and/or liability to Plaintiffs or any other past or present employee. Defendants further claim that most, if not all, of the class are exempt from federal and state overtime requirements. Defendants further claim that all travel time legally required to be compensated was fully paid. Federal and state laws only require certain types of travel time to be paid.

Defendants further claim they exercised, at all relevant times, good faith application of the FLSA to all employees similarly situated in this Notice.

COMPOSITION OF THE CLASS

You received this notice because the lawyers for Plaintiffs and/or Defendants have information that may indicate that you are potentially a class member in this case.

If you know other workers who are “similarity situated” as defined in this Notice and worked for the Defendants listed above at any time between April 26, 2004 and the present and who did not get a copy of this Notice, you may tell them to call the Plaintiffs’ lawyers at (212)725-7272 to get a copy of this Notice.

YOUR RIGHT TO JOIN THIS SUIT AS A PARTY PLAINTIFF

If you believe that Defendants failed to pay you regular hourly wages for actual work performed during lunch break, certain unpaid travel time that must be paid and/or overtime wages in excess of 40 hours per week, you have the right to make a claim against Defendants as a plaintiff in this lawsuit. To do that, mail the attached Consent to Join form to the Class Attorneys at the address listed below. It must be postmarked no later than thirty (30) days from Judicial Approval of this Notice plus five days for mailing or you will not be allowed to join the lawsuit.

It is entirely your own decision whether to join this lawsuit. You are not required to take any action unless you so desire. If you choose to join this suit, you will be bound by the judgment whether it is favorable or unfavorable, or any settlement of this action, if a settlement occurs. While the suit is pending, you may be required to provide information, appear for a deposition in New York City, and testify in federal court in Manhattan, New York. If you choose to sign a consent form, your continued right to participate in this suit may depend, among other things, upon a later determination by the Court that you and the Plaintiffs are actually “similarly situated” in accordance with federal law and that your claim has been filed within the applicable statute of limitations.

If you choose not to join this suit, then the lawsuit will have no legal effect on you and you will not be affected by any judgment, favorable or unfavorable. If you do not sign and return the Consent to Join form, you will not receive any benefit, if any, from the case if Plaintiffs prevail. Any such relief would only be available to you if you file your own lawsuit within the time period provided by law and then only if you prevail.

LEGAL REPRESENTATION

The attorneys appointed Class Counsel and representing you are:

Steven Bennett Blau  
Jason T. Brown  
Shelly A. Leonard  
BLAU BROWN & LEONARD LLC  
54 West 21<sup>st</sup> Street, Suite 1009  
New York, New York 10010  
(212)725-7272  
800-9100-LAW

Anyone with questions about, or information regarding this lawsuit, including whether certain exemptions may apply may contact Class Counsel by calling the numbers listed above. You should also feel free to consult with any other lawyer you know.

A Class member may enter an appearance in this lawsuit through an attorney other than Class Counsel.

You will not be required to pay any fee for services provided by Class Counsel, except that a portion of any recovery may be approved by the Court as fees and costs. If you are a prevailing party in this action, Class Counsel intends to apply to the Court for an award of attorneys' fees and reimbursement of reasonable costs and disbursements from the Defendants at the conclusion of this case. Similarly, if you are unsuccessful in this lawsuit, counsel for the Defendants intend to apply to the Court for an award of reasonable costs and disbursements.

**NO RETALIATION OR DISCRIMINATION PERMITTED**

**IT IS AGAINST THE LAW FOR ANYONE TO RETALIATE AGAINST ANY POTENTIAL "CLASS MEMBER" FOR EXERCISING HIS OR HER RIGHTS IN THIS CASE. FEDERAL AND STATE LAWS PROHIBIT DEFENDANTS FROM DISCHARGING YOU OR IN ANY OTHER MANNER DISCRIMINATING AGAINST YOU BECAUSE YOU HAVE EXERCISED RIGHTS TO PARTICIPATE IN THIS LAWSUIT.**

**DO NOT CALL THE COURT OR THE CLERK OF THE COURT.**

**THIS NOTICE AND ITS CONTENTS HAVE BEEN AUTHORIZED BY THE FEDERAL DISTRICT COURT, HON. SHIRA A. SCHEINDLIN, UNITED STATES DISTRICT JUDGE.**

**THIS COURT HAS TAKEN NO POSITION IN THIS CASE REGARDING THE MERITS OF THE PLAINTIFFS' CLAIMS OR OF DEFENDANTS' DEFENSES.**

Dated:

10/2/07

A handwritten signature in black ink, appearing to read 'Shira A. Scheindlin', written over a horizontal line.

**The Honorable Shira A. Scheindlin**



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CHARLES RICHARDS and JAY  
GEYWITS, individually and on behalf of  
all others similarly situated as class  
representatives,

Plaintiffs,

v.

LANG INDUSTRIES, INC., WORLD  
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Defendants.

Case No: 07-CV-03350 (SAS) (DCF)

CLASS ACTION

CONSENT TO SUE

I, hereby consent to be a Plaintiff in the Fair Labor Standards Act case captioned above. I hereby consent to the bringing of any claims I may have under the Fair Labor Standards Act (for unpaid overtime, liquidated damages, attorney's fees, costs and other relief) against the Defendants. I authorize Blau Brown & Leonard, LLC, its successors and assigns, to represent me in this case.

By signing and returning this consent to sue, I certify that I worked for the Defendants as a service technician, plumber and/or driver (or a title with the same or substantially similar job duties, as explained in the attached Notice, which required travel time ) during the period April 26, 2004 to the present.

By signing and returning this consent to sue, I authorize Blau Brown & Leonard LLC, their successors and assigns, to represent me in this case. By signing and returning this consent to sue, I understand that, if accepted for representation, I will be represented by Blau Brown & Leonard, LLC without prepayment of costs or attorneys' fees. I understand that if Plaintiffs are successful, costs expended by attorneys on my behalf will be deducted from my settlement or judgment. I understand that if Plaintiffs are the prevailing party in this action, Class Counsel intends to apply to the Court for an award of attorney's fees and reimbursement of reasonable costs and disbursements from the Defendants at the conclusion of the case. Similarly, I understand that if the Plaintiffs are unsuccessful in this lawsuit, counsel for the Defendants

intend to apply to the Court for an award of reasonable costs and disbursements.

Dated: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

**IF YOU CHOOSE TO PARTICIPATE, PLEASE RETURN THIS FORM TO: BLAU  
BROWN & LEONARD, LLC, 54 WEST 21<sup>ST</sup> STREET, SUITE 1009, NEW YORK, NEW  
YORK 10010 BY \_\_\_\_\_, 2007.**